

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC-SDNY
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DANIEL TEXCAHAU CEREZO,
*individually and on behalf of all others
similarly situated,*

Plaintiff,

v.

53 WEST 72ND STREET CAFÉ LLC, *et al.*,

Defendants.

20-CV-5492 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

On October 28, 2020, the Court referred this action to mediation. Dkt. 24. Mediation was set for April 20, 2021. On April 23, 2021, Plaintiff submitted a letter notifying the Court that the mediation was cancelled after Defendants did not submit the required pre-mediation materials. Dkt. 26. Defendants responded, admitting that “[t]he delay was attributed to many factors all of which are the Defendants alone” and “humbly and respectfully request[ing] this Court allow [the parties] one final, and extremely final opportunity to have a mediation which will NOT be adjourned or delayed.” Dkt. 28. The Court then again referred this action for mediation. Dkt. 30. On May 25, 2021, Plaintiff submitted a letter notifying the Court that the mediation was cancelled after Defendants failed to comply with the mediator’s request to submit dates for mediation. Dkt. 32.

No later than June 3, 2021, Defendants shall file a letter explaining why they have not complied with the Court’s orders and why they did not participate in the mediation in good faith. **Defendants should be aware that its repeated failure to comply with this Court’s orders and**

participate in mediation in good faith may result in sanctions. *See Paramedics Electromedicina Comercial, Ltda. v. GE Med. Sys. Info. Techs., Inc.*, 369 F.3d 645, 655 (2d Cir. 2004).

SO ORDERED.

Dated: May 28, 2021
New York, New York

A handwritten signature in blue ink, appearing to read 'Ronnie Abrams', is written above a horizontal line.

Ronnie Abrams
United States District Judge